

110TH CONGRESS
1ST SESSION

H. R. 4308

To create a sponsorship program to help fund NASA’s Centennial Challenges prize program and expand public awareness of NASA activities and technology needs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 6, 2007

Mr. CALVERT (for himself and Mrs. JONES of Ohio) introduced the following bill; which was referred to the Committee on Science and Technology

A BILL

To create a sponsorship program to help fund NASA’s Centennial Challenges prize program and expand public awareness of NASA activities and technology needs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “NASA Innovation
5 Fund and Sponsorship Act of 2007”.

6 **SEC. 2. NASA INNOVATION FUND.**

7 (a) CREATION.—

1 (1) ESTABLISHMENT.—There is established in
2 the Treasury of the United States a trust fund, to
3 be known as the “NASA Innovation Fund” (referred
4 to in this Act as the “Fund”), consisting of such
5 amounts as may be transferred to the Fund under
6 paragraph (2).

7 (2) TRANSFER.—Any amount collected from
8 charitable donations or in accordance with the pro-
9 gram authorized under section 4 shall be transferred
10 to the Fund.

11 (b) EXPENDITURES.—Amounts in the Fund may be
12 used, to the extent provided in advance in appropriations
13 Acts, as follows:

14 (1) ADVERTISING.—Not more than 10 percent
15 of amounts transferred to the Fund in each fiscal
16 year, not to exceed \$1,000,000, may be used by the
17 Administrator in such fiscal year for advertising
18 under subsection (c) of section 314 of the National
19 Aeronautics and Space Act of 1958 (42 U.S.C.
20 2459f–1(c)).

21 (2) ADMINISTRATION.—Not more than
22 \$200,000 of amounts in the Fund may be used by
23 the Administrator in each fiscal year for expenses
24 incurred in administering the prize competition de-
25 scribed under section 314 of such Act.

1 (3) PRIZE MONEY.—Any amounts in the Fund
2 not expended under paragraph (1) or (2) may be
3 used for any prize awarded under section 314 of
4 such Act.

5 (c) INVESTMENT OF AMOUNTS.—

6 (1) AMOUNTS AVAILABLE.—The Secretary of
7 the Treasury shall invest such portion of the Fund
8 as is not required, in the determination of the Sec-
9 retary, to meet current withdrawals.

10 (2) INTEREST-BEARING OBLIGATIONS.—Invest-
11 ments may be made only in interest-bearing obliga-
12 tions of the United States.

13 (3) ACQUISITION OF OBLIGATIONS.—Pursuant
14 to paragraphs (1) and (2), obligations may be ac-
15 quired—

16 (A) on original issue at the issue price; or

17 (B) by purchase of outstanding obligations
18 at the market price.

19 (4) SALE OF OBLIGATIONS.—Any obligation ac-
20 quired by the Fund may be sold by the Secretary of
21 the Treasury at market price.

22 (5) CREDITS TO FUND.—The interest on and
23 proceeds from the sale or redemption of any obliga-
24 tions held in the Fund shall be credited to and form
25 part of the Fund.

1 **SEC. 3. NASA INNOVATION FUND SPONSORSHIP ADVISORY**
2 **COMMITTEE.**

3 (a) ESTABLISHMENT.—There is established within
4 the National Aeronautics and Space Administration the
5 NASA Innovation Fund Sponsorship Advisory Committee
6 (referred to in this Act as the “Advisory Committee”) to
7 advise the Administrator on carrying out the program au-
8 thorized under this section and section 4.

9 (b) MEMBERSHIP.—

10 (1) COMPOSITION.—The Advisory Committee
11 shall consist of 5 citizens of the United States, in-
12 cluding persons with expertise in mathematics or
13 science education, and in promotional activities, ap-
14 pointed by the Administrator not later than 90 days
15 after the date of the enactment of this Act. The Ad-
16 ministrator shall seek to include individuals from
17 academia, the nonprofit sector, and the private sec-
18 tor. The Administrator shall appoint a Chair and a
19 Vice Chair for the Advisory Committee.

20 (2) TERMS.—

21 (A) LENGTH.—Each member of the Advi-
22 sory Committee appointed under paragraph (1)
23 shall serve for a term of three years, but the
24 lengths of the initial terms of such members
25 shall be staggered to ensure continuity of ad-
26 ministration.

1 (B) VACANCY.—If a seat on the Advisory
2 Committee to which a member of the Advisory
3 Committee is appointed under paragraph (1)
4 becomes vacant due to the departure of such
5 member prior to the expiration of the term of
6 such member, a successor may be appointed by
7 the Administrator to serve the remainder of the
8 term of such member.

9 (C) REAPPOINTMENT.—A member of the
10 Advisory Committee appointed under paragraph
11 (1) may not serve on the Advisory Committee
12 for more than 6 years.

13 (3) COMPENSATION.—No compensation shall be
14 paid to members of the Advisory Committee for
15 their services as members, but members shall be re-
16 imbursed for actual and necessary traveling and sub-
17 sistence expenses incurred in the performance of the
18 duties of the Advisory Committee.

19 (c) MEETINGS.—

20 (1) FREQUENCY.—The Advisory Committee
21 shall meet not less than 4 times each year, and the
22 Administrator may call additional meetings.

23 (2) PRESENCE OF NASA OFFICERS.—The Ad-
24 ministrator and the Chief of Strategic Communica-
25 tions of NASA, or their designees, shall be present

1 at each meeting of the Advisory Committee to pro-
2 vide technical or programmatic guidance.

3 **SEC. 4. INNOVATION FUND SPONSORSHIP PROGRAM.**

4 (a) AUTHORIZATION.—

5 (1) INNOVATION FUND SPONSORSHIP PRO-
6 GRAM.—The Administrator is authorized to create
7 and administer an Innovation Fund Sponsorship
8 Program, which shall permit any person to develop
9 and implement a promotional program that includes
10 the use of the Partnership Logo in exchange for a
11 monetary contribution to the Fund from such per-
12 son.

13 (2) SPONSOR.—Pursuant to subsection (c)(2),
14 for the purposes of this section, a person whose ap-
15 plication to participate in the Innovation Fund
16 Sponsorship Program has been approved shall be
17 known as a “sponsor”.

18 (b) PARTNERSHIP LOGO.—The Administrator shall
19 select and adopt a logo to be used in the promotional pro-
20 gram of any sponsor. Such logo shall be based on the rec-
21 ommendations of the Advisory Committee. Such logo shall
22 include the words “NASA Innovation Fund Partner” and
23 an appropriate image, as determined by the Advisory
24 Committee.

1 (c) APPLICATION PROCESS.—To be eligible to be se-
2 lected as a sponsor, a person shall submit to the Adminis-
3 trator an application in such form, at such time, and con-
4 taining such information as the Administrator may re-
5 quire. The proposals shall be reviewed by the Advisory
6 Committee, which shall make recommendations to the Ad-
7 ministrator. Each such application shall include the fol-
8 lowing:

9 (1) The amount to be contributed by such per-
10 son to the Fund.

11 (2) A specific description of the promotional
12 program (using the Partnership Logo) such person
13 plans to develop, which shall include at least one of
14 the following:

15 (A) Presenting educational information
16 concerning science, technology, engineering, or
17 mathematics, or directing the audience of such
18 program to such information.

19 (B) Promoting educational programs con-
20 cerning science, technology, engineering, or
21 mathematics and encouraging the study of such
22 disciplines.

23 (C) Promoting specific employment and
24 educational opportunities in science, technology,
25 engineering, or mathematics.

1 (d) SPONSORSHIP AGREEMENT.—Each person whose
2 application is approved pursuant to subsection (c) shall
3 enter into a sponsorship agreement with the Administrator
4 which shall—

5 (1) require that such person provide to the Ad-
6 ministrator an amount not less than the amount
7 specified under subsection (c)(1); and

8 (2) permit such person to use the Partnership
9 Logo in the promotional program of such person as
10 described in the application submitted under para-
11 graph (2) of such subsection.

12 (e) RESTRICTIONS.—A promotional program under
13 this section may not include the following:

14 (1) NO LOGOS ON SPACECRAFT.—The applica-
15 tion of any logo or advertisement to the exterior sur-
16 faces of the International Space Station, NASA
17 launch vehicles, or Federal Government payloads.

18 (2) NO ASTRONAUT ENDORSEMENTS.—The en-
19 dorsement of or appearance in any advertisement for
20 any product by any NASA astronaut.

21 (3) NO AGENCY-WIDE ENDORSEMENT.—The en-
22 dorsement by NASA of any product or service of any
23 sponsor.

1 (4) NO IN-KIND CONTRIBUTION.—The receipt
2 of any contribution under subsection (d)(1) in any
3 form other than cash.

4 (5) MINIMUM LEVEL OF CONTRIBUTION.—An
5 expected contribution under subsection (c)(1) that is
6 less than a minimum amount that the Administrator
7 may establish.

8 (6) GENERAL RESTRICTIONS.—Any other fea-
9 ture that the Administrator determines to be inap-
10 propriate.

11 (f) PROTECTION OF PROPRIETARY INFORMATION.—
12 The Administrator shall establish procedures to ensure ap-
13 propriate protection of any proprietary information sub-
14 mitted pursuant to this section.

15 (g) STATEMENT OF CONGRESS RELATING TO NASA
16 PARTICIPATION.—Congress strongly encourages NASA to
17 carry out the activities authorized in subsection (c) of sec-
18 tion 314 of the National Aeronautics and Space Act of
19 1958 (42 U.S.C. 2459f–1(c)) and to provide assistance to
20 sponsors to carry out promotional programs authorized
21 under this section, as the Administrator determines to be
22 appropriate.

23 (h) ENFORCEMENT.—

24 (1) UNAUTHORIZED PERSONS.—If any person
25 who is not a sponsor uses the Partnership Logo in

1 connection with any promotion of goods, services, or
2 commercial activity in a manner reasonably tending
3 to suggest that such use is approved, endorsed, or
4 authorized by the Administrator, the Administrator
5 may commence a civil action for preventive relief, in-
6 cluding an application for a permanent or temporary
7 injunction, restraining order, or other order, and
8 such person shall be liable to the Administrator for
9 a civil penalty in the amount of \$100,000 for each
10 such violation. The Administrator shall transfer any
11 amounts received under this paragraph to the Fund.

12 (2) UNAUTHORIZED PROMOTIONAL PRO-
13 GRAMS.—If any sponsor implements any promotional
14 program using the Partnership Logo that does not
15 conform to the requirements of this Act, the Admin-
16 istrator may commence a civil action for preventive
17 relief, including an application for a permanent or
18 temporary injunction, restraining order, or other
19 order.

20 (i) REPORT.—Not later than October 31 of each year,
21 the Administrator shall transmit to Congress a report—

22 (1) that describes, with respect to the preceding
23 fiscal year all actions taken by the National Aero-
24 nautics and Space Administration under this section,
25 including—

- 1 (A) a full statement of receipts;
- 2 (B) a full statement of expenditures; and
- 3 (C) an evaluation of the efficiency and
- 4 value of the Innovation Fund Sponsorship Pro-
- 5 gram; and

- 6 (2) that includes a report from the Advisory
- 7 Committee on its actions with respect to the pre-
- 8 ceding fiscal year.

9 (j) CONSULTATION.—Each year, the Advisory Com-
10 mittee shall consult with the director of each of the fol-
11 lowing NASA Centers to solicit ideas to improve the pro-
12 gram authorized under this section and section 4:

- 13 (1) Ames Research Center.
- 14 (2) Dryden Flight Research Center.
- 15 (3) Glenn Research Center.
- 16 (4) Goddard Space Flight Center.
- 17 (5) Jet Propulsion Laboratory.
- 18 (6) Johnson Space Center.
- 19 (7) Kennedy Space Center.
- 20 (8) Langley Research Center.
- 21 (9) Marshall Space Flight Center.
- 22 (10) Stennis Space Center.

23 **SEC. 5. CONFORMING AMENDMENT.**

24 Paragraph (1) of section 314(i) of the National Aero-
25 nautics and Space Act of 1958 (42 U.S.C. 2459f–1(i)(1))

1 is amended by inserting before the period at the end the
2 following: “, except as provided in the NASA Innovation
3 Fund and Sponsorship Act of 2007.”.

4 **SEC. 6. DEFINITIONS.**

5 In this Act:

6 (1) ADMINISTRATOR.—The term “Adminis-
7 trator” means the Administrator of the National
8 Aeronautics and Space Administration.

9 (2) NASA.—The term “NASA” means the Na-
10 tional Aeronautics and Space Administration.

11 (3) PARTNERSHIP LOGO.—The term “Partner-
12 ship Logo” means the logo selected and adopted in
13 accordance with section 4(b).

14 (4) PROMOTIONAL PROGRAM.—The term “pro-
15 motional program” means any set of coordinated ac-
16 tions taken by a person to publicize or make publicly
17 recognizable a particular good, service, program, or
18 person.

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